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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,365	10/28/2003	Gerhard Fritz Blohdorn	HK-780	5960
24131 7590 03/22/2007 LERNER GREENBERG STEMER LLP P O BOX 2480 HOLLYWOOD, FL 33022-2480			EXAMINER CRENSHAW, MARVIN P	
			ART UNIT	PAPER NUMBER
			2854	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/22/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/695,365

Applicant(s)

BLOHDORN, GERHARD FRITZ

Examiner

Marvin P. Crenshaw

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 2/23/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 3 - 10, 12 and 14 - 16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3 - 10, 12 and 14 - 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 23, 2007 has been entered.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 4, 6 – 9 and 14 – 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rau et al. (5,784,957) in view of Feller et al. (6,065,402).

With respect to claims 1 and 14, Rau et al. teaches an apparatus for controlling a temperature of a printing plate (Fig. 1, 6) in an external drum exposer having an exposure drum for holding the printing plate (See col. 3, line 45) and the apparatus comprising an internal pipe (Fig. 3, 52) having a longitudinal axis disposed coaxially with an axis of the exposure drum and at least one rotary lead-through (58) fluidically communicating with said internal pipe for feeding a temperature-controlled (see col. 3,

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lines 23 - 28) liquid directly into and out of said internal pipe such that a flow of the temperature-controlled liquid is confined within said internal pipe, thereby achieving a defined temperature of the printing plate (See col. 3, lines 23 - 28).

However, Rau does not teach webs connected to said internal pipe, said webs configured for connecting said internal pipe to the cylinder for effecting heat transfer from the temperature-controlled liquid to the cylinder via said internal pipe and said webs.

Feller et al. teaches webs (Fig. 2, 15) connected to an internal pipe (Fig. 2, 13), said webs (15) configured for connecting said internal pipe (13) to the cylinder (12) for effecting heat transfer (See col. 3, lines 50 - 55) from the temperature-controlled liquid to the cylinder via said internal pipe and said webs (See col. 3, lines 50 - 55).

With respect to claims 3, 4 and 16, Feller et al. teaches a cylinder, said internal pipe (13) and said webs (15) are fabricated from a thermally conductive material (See Col. 3, lines 50 - 55) and the internal pipe (13) and said webs (15) are fabricated from an extruded part.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Rau et al. to have webs connected to said internal pipe, said webs configured for connecting said internal pipe to the cylinder for effecting heat transfer from the temperature-controlled liquid to the cylinder via said internal pipe and said webs as taught by Feller et al. to provide an efficient means for maintaining a constant temperature of the printing material while printing.

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With respect to claim 7, Rau et al. teaches further comprising a temperature control unit (42) disposed in a path of the temperature-controlled liquid for keeping the temperature controlled liquid at a constant temperature.

With respect to claim 8, Rau et al. teaches wherein the temperature-controlled liquid is water (See col. 2, line 67).

With respect to claim 9, Rau et al. does not teach the temperature controlled liquid further containing at least one of a corrosion-prevention additive and an antifreeze additive however Fuller et al. teaches a coolant and it would be obvious to one of ordinary skill in the art to know that a coolant contains an additive and the coolant is effective for controlling the temperature of the exposure drum.

With respect to claim 15, Rau et al. teaches the apparatus wherein the defined temperature of the printing plate is maintained irrespective of an ambient temperature (See col. 3, lines 23 - 28).

With respect to claims 1, 6 and 14, Since Rau et al. teaches a coolant is being fed into the exposure drum, it would be inherent that Rau et al. has a rotary lead-through (58) that is a two-way rotary lead-through disposed at one end of the exposure drum to provide an effective means for feeding the liquid under pressure to and from the conduit.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rau et al. (5,784,957) and Feller et al. (6,065,402), as applied to claims 1, 3, 4, 6 – 9 and 14 – 16 above, and further in view of Vrotacoe et al. (5,535,674).

Rau et al. as modified by Feller et al. teaches all that is claimed, as discussed in the above rejection, except an apparatus wherein a rotary lead through is located at a first and second end of the exposure drum.

Vrotacoe et al. teaches an apparatus (Fig. 4b) comprising a rotary lead-through is disposed at a first end (Fig. 4b, location above 48) of the exposure drum (40) with which the temperature-controlled liquid (See col.5, lines 28) is led into said internal pipe and further comprising a further rotary lead-through (See Fig. 4a and See Col. 5,,lines 20 – 40) disposed at a second end of the exposure drum with which the temperature controlled liquid is led out of said internal pipe.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Rau et al. to have an apparatus wherein a rotary lead through is located at a first and second end of the exposure drum as taught by Vrotacoe et al. to provide a means for delivering the coolant into and out of the cylinder.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rau et al. (5,784,957) and Feller et al. (6,065,402), as applied to claims 1, 3, 4, 6 – 9 and 14 – 16 above, and further in view of Tafel (4,920,881).

Rau et al. as modified by Feller et al. teaches all that is claimed, as discussed in the above rejection, except the thermally conductive material is aluminum.

With respect to claim 10, Tafel teaches wherein the thermally conductive material is aluminum (See col. 2, lines 55 - 57).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to further modify Rau et al. to have the apparatus wherein the thermally conductive material is aluminum as taught by Marmin et al. because it is known to be very efficient in transferring heat.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rau et al (5,784,957) in view of Hosokawa (5,978,010) and Feller et al. (6,065,402).

With respect to claim 12 and 13, Rau et al. teaches an exposer for controlling a temperature of a printing plate (Fig. 1, 6) comprising an exposure drum (43) for holding the printing plate and having an axis and an internal pipe (52) disposed along said axis of said exposure drum and at least one rotary lead-through (58) fluidically communicating with said internal pipe for feeding a temperature-controlled (see col. 3, lines 23 - 28) liquid directly into and out of said internal pipe such that a flow of the temperature-controlled liquid is confined within said internal pipe, thereby achieving a defined temperature of the printing plate(See col. 3, lines 23 - 28), a coolant is being fed into the exposure drum.

Rau et al. does not teach an exposure head for exposing the printing plate.

Hosokawa teaches an exposure head (22) for exposing the printing plate.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rau et al. to have exposure head for exposing the printing plate as taught by Hosokawa to provide a means for writing an image on the printing plate.

However, Rau as modified by Hosokawa does not teach webs connected to said internal pipe, said webs configured for connecting said internal pipe to the cylinder for effecting heat transfer from the temperature-controlled liquid to the cylinder via said internal pipe and said webs.

Feller et al. teaches webs (Fig. 2, 15) connected to an internal pipe (Fig. 2, 13), said webs (15) configured for connecting said internal pipe (13) to the cylinder (12) for effecting heat transfer (See col. 3, lines 50 – 55) from the temperature-controlled liquid to the cylinder via said internal pipe and said webs (See col. 3, lines 50 – 55).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Rau et al. to teach webs connected to said internal pipe, said webs configured for connecting said internal pipe to the cylinder for effecting heat transfer from the temperature-controlled liquid to the cylinder via said internal pipe and said as taught by Feller et al., since Feller et al. teaches an advantageous means for sufficiently control the temperature of the cylinder.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1, 3 – 10, 12 and 14 - 16 have been considered but are moot in view of the new ground(s) of rejection.


### ***Conclusion***




Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marvin P. Crenshaw whose telephone number is (571) 272-2158. The examiner can normally be reached on Monday - Thursday 7:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
MPC  
March 16, 2007

  
**JUDY NGUYEN**  
**SUPERVISORY PATENT EXAMINER**